

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

WILLIAM BRAY and JOHN LANDOR,
*in their individual capacities and on behalf
of others similarly situated,*

Plaintiffs,

21 Civ. 2340 (AEK)

-against-

ORDER

NEW YORK GYPSUM FLOORS INC.
and STEPHEN P. PHILLIPS,

Defendants.

-----X

THE HONORABLE ANDREW E. KRAUSE, U.S.M.J

WHEREAS, the Court has granted the parties' motion for approval of the proposed revised settlement agreement filed at ECF No. 121-1 (the "Settlement Agreement");

WHEREAS, the Settlement Agreement sets forth the terms and conditions for the settlement of this action against Defendants and for dismissal of this action against Defendants with prejudice upon the terms and conditions set forth therein,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

1. The Court finds that the Settlement Agreement is procedurally fair and has been reached through arms-length negotiation between experienced counsel.
2. The Court finds that the Settlement Agreement satisfies the requirements for settlement of a Fair Labor Standards Act action in accordance with *Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199 (2d Cir. 2015), in all respects as it is fair, reasonable, and reflects a reasonable compromise over contested issues involving a *bona fide* dispute.
3. The Court approves the overall settlement payment to Plaintiffs of \$586,326.63.

4. The Court approves attorneys' fees awards of \$73,762.50 for Anderson Dodson, and \$251,537.50 for Virginia & Ambinder, respectively, for a total attorneys' fees award of \$325,300.00.

5. The Court approves an award of \$1,575.76 in costs to Anderson Dodson and an award of \$4,149.62 in costs to Virginia & Ambinder.

6. All terms and provisions of the Settlement Agreement shall be implemented.

7. Without affecting the finality of this Order in any way, this Court hereby retains jurisdiction over consummation and performance of the Agreement.

The Clerk of Court is respectfully directed to close this case.

Dated: December 9, 2024
White Plains, New York

SO ORDERED.



ANDREW E. KRAUSE
United States Magistrate Judge